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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/761,849

01/20/2004

Kuldeep Jain

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HARRINGTON & SMITH, PC
4 RESEARCH DRIVE
SHELTON, CT 06484-6212

EXAMINER

PATEL, DHAIRYA A

ART UNIT

PAPER NUMBER

2151

MAIL DATE

DELIVERY MODE

06/09/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/761,849	Applicant(s) JAIN ET AL.	
	Examiner Dhairya A. Patel	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/7/2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action responsive to RCE filed on 4/7/2008. Claims 1-40 are presented for examination.
2. This amendment has been fully considered and entered.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/7/2008 has been entered.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 14-24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As per claims 14-24, it states "A computer program...". In this case, a computer program is deemed non-statutory subject i.e. software per se. As such, the claim is drawn to a program. A ***program*** is not one of the four categories of invention and therefore this claim(s) is/are not statutory. A ***program*** is not a series of steps or acts and thus is not a process. A ***program*** is not a physical article or object and as such is

not a machine or manufacture. Therefore, a computer program is deemed non-statutory subject i.e. software per se.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4,6-7,9-10,13-16,18-19,21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillip et al. U.S. Patent # 6,192,041 (hereinafter Phillip) in view of Karino et al. U.S. Patent # 7,269,165 (hereinafter Karino) further in view of Chowdhury et al. U.S. Patent # 2004/0022212 (hereinafter Chowdhury).

As per claim 1, Phillip teaches a method comprising: initiating the set up of an internet protocol IP connection between a mobile station (MS) (Fig. 2 element 30,36) and a computing device (CD) (Fig. 1 element 10) with a command received from the CD to the MS over a local interface (column 1 lines 18-36)(column 3 lines 49-64);

The reference teaches setting up the connection to send out data packets by sending command AT+CRM=1 from the user computer to the cell phone.

and in response to receiving over the IP connection an IP message at the MS from the CD, routing the received IP message to an application that is resident in the MS (column 2 lines 52-67)(column 3 lines 49-67)(column 4 lines 1-8), wherein the IP connection between MS and the CD is regardless of any connection between the MS and a cellular network (column 2 lines 52-67)(column 3 lines 23-38, lines 49-67)

The reference setting up the connection by sending out data packets (IP message) to the cell phone (Mobile station), forwarding the PPP data packets to application software packages after instructing attached modem to dial a remote modem only after receiving a notification signal (forwarding the data packets to an application). The connection between the MS and the CD is over public telephone line through Internet service provider to access internet.

Phillip is silent in teaching assigning IP addresses for the local interface and configuring an IP protocol stack at the MS. Karino teaches initiating a set up of an internet protocol (IP) connection between a mobile station (MS) (Fig. 1 element 11,13) and a computing device (CD) (Fig. 1 element 18) (column 2 lines 57-63) that terminates at the MS with a command (i.e. trigger signal) received from the CD over a local interface (column 3 lines 51-57), The reference teaches initiating a setup of IP connection by sending a request, **the server accepting the request for the IP connection and notifying the cellular phone (mobile station) of the dynamic IP address**, thereby establishing an IP connection between the server and the cellular phone (mobile station). The reference also teaches wireless link is established by **sending a trigger signal which can be a command to the receiving cellular phone** (terminating at the MS with a command) **which is sent from the server over the wireless link** (received from the computing device over a local interface).

establishing IP connection between the MS and the CD comprising assigning IP addresses for the local interface(i.e. wireless link for the cellular phone) and configuring an IP protocol stack at the MS (column 3 lines 51-57)(column 2 lines 57-

63). The reference teaches notifying the cellular phone (mobile station) of the dynamic IP address, thereby establishing an IP connection between the server and the cellular phone (mobile station) over the wireless link (local interface) thereby configuring an IP protocol stack at the MS. Since the establishing IP connection requires configuring an IP protocol as known in the art. It would have to been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Karino's teaching in Phillip's teaching to come up with initiating and establishing IP connection by assigning IP addresses for the local interface. The motivation for doing so would be so that cellular phone through the wireless link being assigned the IP address is able to communicate with the other mobile stations/phones and computing device/server through IP (column 3 lines 30-33).

Phillip, Karino do not explicitly teach terminating an IP connection on the MS. Chowdhury explicitly teaches terminating an IP connection on the MS (Paragraph 54). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Chowdhury's teaching in Phillip, Karino's teaching to come up with terminating an IP connection on the MS. The motivation for doing so would be to end IP session to release the IP session resources which were allocated for the mobile station, therefore those IP session resource could be allocated to other different mobile station or upon subsequently connecting to another mobile station (Paragraph 54).

As per claim 2, Phillip, Karino, Chowdhury teaches a method as in claim 1, but Phillip further teaches where the command is an AT command (column 1 lines 18-36).

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As per claim 3, Phillip, Karino, Chowdhury teaches a method as in claim 1, but Phillip further teaches where the command is an AT+CRM command (column 1 lines 38-51).

As per claim 4, Phillip teaches a method as in claim 1, where the command is an AT+CRM command (column 1 lines 18-36) but does not explicitly show having a value of five. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement in Philip's invention having AT+CRM command value of 5. The motivation for doing so would be because the user wants to switch the mode of communication because if the AT +CRM is set to 0 it is asynchronous mode and AT+CRM=1 is packet data mode, therefore the user can to switch the mode from AT+CRM=1 to AT+CRM=5 which could be set by user (column 1 lines 29-37).

As per claim 6, Phillip, Karino, Chowdhury teaches a method as in claim 1, but Phillip further teaches where the command places the MS into an auto-answer mode (column 3 lines 1-10).

As per claim 7, Phillip, Karino Chowdhury teaches a method as in claim 1, but Phillip further teaches where the command is an ATSO=1 command (column 1 lines 18-36).

As per claim 9, Phillip, Karino, Chowdhury teaches a method as in claim 1, but Phillip further teaches where the local interface comprises a wired interface (column 3 lines 28-33).

As per claim 10, Phillip, Karino, Chowdhury teaches a method as in claim 1, but

Phillip further teaches where the local interface comprises a wireless interface (column 3 lines 18-25).

As per claim 13, Phillip teaches a computer readable medium within a mobile station (MS) embodying a computer program executable by a process to perform to provide an Internet Protocol (IP) connection between the (Fig. 2 element 30,36) and a computing device (CD) (Fig. 1 element 10), comprising: responsive to a receipt of a command from the CD over a local interface, to initiate the set up of the IP connection that terminates at the MS (column 1 lines 18-36)(column 3 lines 49-64);

The reference teaches setting up the IP connection to send out data packets by sending command AT+CRM=1 from the user computer to the cell phone.

-responsive to receiving over the IP connection an IP message from the CD, routing the IP message to an application that is resident in the MS (column 2 lines 52-67)(column 3 lines 49-67)(column 4 lines 1-8), wherein the IP connection between MS and the CD is regardless of any connection between the MS and a cellular network (column 2 lines 52-67)(column 3 lines 23-38, lines 49-67)

The reference setting up the connection by sending out data packets (IP message) to the cell phone (Mobile station), forwarding the PPP data packets to application software packages after instructing attached modem to dial a remote modem only after receiving a notification signal (forwarding the data packets to an application). The connection between the MS and the CD is over public telephone line through Internet service provider to access internet.

Phillip is silent in teaching assigning IP addresses for the local interface and

configuring an IP protocol stack at the MS. Karino teaches initiating a set up of an internet protocol (IP) connection between a mobile station (MS) (Fig. 1 element 11,13) and a computing device (CD) (Fig. 1 element 18) (column 2 lines 57-63) that terminates at the MS with a command (i.e. trigger signal) received from the CD over a local interface (column 3 lines 51-57), The reference teaches initiating a setup of IP connection by sending a request, **the server accepting the request for the IP connection and notifying the cellular phone (mobile station) of the dynamic IP address**, thereby establishing an IP connection between the server and the cellular phone (mobile station). The reference also teaches wireless link is established by **sending a trigger signal which can be a command to the receiving cellular phone** (terminating at the MS with a command) **which is sent from the server over the wireless link** (received from the computing device over a local interface).

establishing IP connection between the MS and the CD comprising assigning IP addresses for the local interface(i.e. wireless link for the cellular phone) and configuring an IP protocol stack at the MS (column 3 lines 51-57)(column 2 lines 57-63). The reference teaches notifying the cellular phone (mobile station) of the dynamic IP address, thereby establishing an IP connection between the server and the cellular phone (mobile station) over the wireless link (local interface) thereby configuring an IP protocol stack at the MS, Since the establishing IP connection requires configuring an IP protocol as known in the art. It would have to been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Karino's teaching in Phillip's teaching to come up with initiating and

establishing IP connection by assigning IP addresses for the local interface. The motivation for doing so would be so that cellular phone through the wireless link being assigned the IP address is able to communicate with the other mobile stations/phones and computing device/server through IP (column 3 lines 30-33)

Phillip, Karino do not explicitly teach terminating an IP connection on the MS. Chowdhury explicitly teaches terminating an IP connection on the MS (Paragraph 54). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Chowdhury's teaching in Phillip, Karino's teaching to come up with terminating an IP connection on the MS. The motivation for doing so would be to end IP session to release the IP session resources which were allocated for the mobile station, therefore those IP session resource could be allocated to other different mobile station or upon subsequently connecting to another mobile station (Paragraph 54).

As per claims 14-16,18-19,21-22, teaches same limitations claims 2-4,6-7,9-10 respectively, therefore rejected under same basis.

Claims 5,8,17,20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillip et al. U.S. Patent # 6,192,041 (hereinafter Phillip) in view of Karino et al. U.S. Patent # 7,269,165 (hereinafter Karino) further in view of Chowdhury et al. U.S. Patent # 2004/0022212 (hereinafter Chowdhury) further in view of Saha et al. U.S. Patent Publication # 2003/0212822 (hereinafter Saha)

As per claim 5, Phillip, Karino and Chowdhury teaches a method as in claim 3, but Phillip further teaches further comprising:

-sending an ATD #777 command to the MS from the CD over the local interface to establish a call (column 4 lines 39-52); and establishing the IP connection over the local interface (column 1 lines 18-36). Phillips fails to teach performing peer-to-peer protocol negotiations over the local interface. Saha teaches performing peer-to-peer protocol negotiations over the local interface (Paragraph 9). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Saha's teaching in Phillip, Karino and Chowdhury's teaching to come up with performing peer-to-peer protocol negotiations over local interface. The motivation for doing so would be to directly communicate with each other i.e. the peer terminals to convey the protocol context information.

As per claim 8, Phillip, Karino and Chowdhury teaches a method as in claim 6, but Phillip further teaches further comprising: in response to an occurrence of a trigger signal at the MS, sending a ring signal to the CD over the local interface to establish a call and establishing the IP connection over the local interface (column 1 lines 18-36)(column 3 lines 49-67)(column 4 lines 1-2) (column 1 lines 18-36)(column 3 lines 49-67)(column 4 lines 1-2).

Phillip fails to teach performing peer-to-peer protocol negotiations over the local interface and using arbitrary IP addresses for the MS and the CD.

Karino teaches establishing IP connection over the local interface(i.e. wireless link for the cellular phone) using arbitrary IP addresses for the MS and the CD(column 3 lines 51-57)(column 2 lines 57-63). The reference teaches assigning the cellular phone (mobile station) of the dynamic IP address (i.e. arbitrary IP addresses), thereby

establishing an IP connection between the server and the cellular phone (mobile station) over the wireless link (local interface). It would have to been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Karino's teaching in Phillip's teaching to come up with establishing IP connection over the local interface by assigning IP addresses. The motivation for doing so would be so that cellular phone through the wireless link being assigned the IP address is able to communicate with the other mobile stations/phones and computing device/server through IP (column 3 lines 30-33).

Saha teaches performing peer-to-peer protocol negotiations over the local interface (Paragraph 9). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Saha's teaching in Philip and Karino's teaching to come up with performing peer-to-peer protocol negotiations over local interface. The motivation for doing so would be to directly communicate with each other i.e. the peer terminals to convey the protocol context information.

As per claims 17 and 20 respectively, it teaches same limitation as claims 5 and 8 respectively, therefore rejected under same basis.

Claims 11-12,23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillip et al. U.S. Patent # 6,192,041 (hereinafter Phillip) in view of Karino et al. U.S. Patent # 7,269,165 (hereinafter Karino)) further in view of Chowdhury et al. U.S. Patent # 2004/0022212 (hereinafter Chowdhury) further in view of Brandenberger et al. U.S. Patent # 6,570,782 (hereinafter Brandenberger)

As per claim 11, Phillip, Karino and Chowdhury teaches a method as in claim 1, but are silent on teaching where the local interface comprises an RF interface. Brandenberger teaches the local interface comprises an RF interface (column 4 lines 15-24)(column 3 lines 50-65). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Brandenberger's invention in Phillip, Karino and Chowdhury's invention to come up with having local interface comprising RF interface. The motivation for doing so would be so that the user can communicate using the communication interface as RF interface and to provide user input to the system or to one or more devices or components.

As per claim 12, Phillip, Karino and Chowdhury teaches a method as in claim 1, but are silent on teaching where the local interface comprises an IR interface. Brandenberger teaches the local interface comprises an IR interface (column 4 lines 15-24)(column 3 lines 50-65). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Brandenberger's invention in Phillip, Karino and Chowdhury's invention to come up with having local interface comprising IR interface. The motivation for doing so would be so that the user can communicate using the communication interface as RF interface and to provide user input to the system or to one or more devices or components.

As per claims 23 and 24 respectively, it teaches same limitation as claims 11 and 12 respectively, therefore rejected under same basis.

Claims 25-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillip et al. U.S. Patent # 6,192,041 (hereinafter Phillip) in view of Karino et

al. U.S. Patent # 7,269,165 (hereinafter Karino)

As per claim 25, Phillip teaches an apparatus comprising: a processor (Fig. 4 element 53) configured to communicate over a local interface (i.e. wireless interface) and over a cellular network, the processor further configured to initiate setup of an Internet Protocol (IP) connection between said apparatus and a computing device (CD) with a command received from the CD over the local interface (column 1 lines 18-36)(column 3 lines 49-64);

The reference teaches setting up the connection to send out data packets by sending command AT+CRM=1 from the user computer to the cell phone.

-responsive to receiving an IP message from the CD over said local interface, the processor configured to route the received IP message to an application that is resident in a memory of said apparatus (column 2 lines 52-67)(column 3 lines 49-67)(column 4 lines 1-8) wherein the IP connection between the apparatus and the CD is regardless of any connection between the apparatus and the cellular network (column 2 lines 52-67)(column 3 lines 23-38, lines 49-67)

The reference setting up the connection by sending out data packets (IP message) to the cell phone (apparatus), forwarding the PPP data packets to application software packages after instructing attached modem to dial a remote modem only after receiving a notification signal (forwarding the data packets to an application). The connection between the MS and the CD is over public telephone line through Internet service provider to access Internet.

-the processor configured to establish the IP connection between the apparatus

and the CD comprising assigning IP addresses for the local interface and configuring an IP protocol stack at the apparatus

Phillip is silent in teaching assigning IP addresses for the local interface and configuring an IP protocol stack at the MS. Karino teaches the processor configured to establish the internet protocol (IP) connection between a apparatus (Fig. 1 element 11,13) and a computing device (CD) (Fig. 1 element 18) (column 2 lines 57-63) that terminates at the MS with a command (i.e. trigger signal) received from the CD over a local interface (column 3 lines 51-57), The reference teaches initiating a setup of IP connection by sending a request, **the server accepting the request for the IP connection and notifying the cellular phone (mobile station) of the dynamic IP address**, thereby establishing an IP connection between the server and the cellular phone (mobile station).

-the processor configured to establish IP connection between the MS and the CD comprising assigning IP addresses for the local interface(i.e. wireless link for the cellular phone) and configuring an IP protocol stack at the MS (column 3 lines 51-57)(column 2 lines 57-63). The reference teaches notifying the cellular phone (mobile station) of the dynamic IP address, thereby establishing an IP connection between the server and the cellular phone (mobile station) over the wireless link (local interface) thereby configuring an IP protocol stack at the MS, Since the establishing IP connection requires configuring an IP protocol as known in the art. It would have to been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Karino's teaching in Phillip's teaching to come up with initiating and establishing IP

connection by assigning IP addresses for the local interface. The motivation for doing so would be so that cellular phone through the wireless link being assigned the IP address is able to communicate with the other mobile stations/phones and computing device/server through IP (column 3 lines 30-33).

As per claim 26, Phillip, Karino teaches an apparatus as in claim 25, but Phillip further teaches where the command is an AT command (column 1 lines 18-36).

As per claim 27, Phillip, Karino teaches an apparatus as in claim 25, but Phillip further teaches where the command is an AT+CRM command (column 1 lines 38-51).

As per claim 28, Phillip teaches a method as in claim 25, where the command is an AT+CRM command (column 1 lines 18-36) but does not explicitly show having a value of five. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement in Philip's invention having AT+CRM command value of 5. The motivation for doing so would be because the user wants to switch the mode of communication because if the AT +CRM is set to 0 it is asynchronous mode and AT+CRM=1 is packet data mode, therefore the user can to switch the mode from AT+CRM=1 to AT+CRM=5 which could be set by user (column 1 lines 29-37).

As per claim 29, Phillip, Karino teaches an apparatus as in claim 25, but Phillip further teaches where the apparatus comprises a mobile station and the command places said mobile station into an auto-answer mode (column 3 lines 1-10).

As per claim 30, Phillip, Karino teaches an apparatus as in claim 25, but Phillip further teaches where the command is an ATSO=1 command (column 1 lines 18-36).

As per claim 31, Phillip, Karino teaches an apparatus as in claim 25, but Phillip further teaches where said local interface comprises at least one of a wired interface and a wireless interface (column 3 lines 28-33). Phillip does not explicitly show the IP addresses for the local interface are assigned arbitrarily to the apparatus and to the CD. Karino teaches IP addresses for the local interface are assigned arbitrarily to the apparatus and to the CD (column 3 lines 51-57)(column 2 lines 57-63). The reference teaches assigning the cellular phone (mobile station) of the dynamic IP address (i.e. arbitrary IP addresses), thereby establishing an IP connection between the server and the cellular phone (mobile station) over the wireless link (local interface). It would have to been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Karino's teaching in Phillip teaching to come up with establishing IP connection over the local interface by assigning IP addresses. The motivation for doing so would be so that cellular phone through the wireless link being assigned the IP address is able to communicate with the other mobile stations/phones and computing device/server through IP (column 3 lines 30-33)

Claims 32-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillip et al. U.S. Patent # 6,192,041 (hereinafter Phillip) in view of Karino et al. U.S. Patent # 7,269,165 (hereinafter Karino) further in view of Cui et al. U.S. Patent Publication # 2004/0204069 (hereinafter Cui)

As per claim 32, Phillip, Karino teaches an apparatus as in claim 25, but fails to teach where the IP connection is used by the apparatus to execute a peer-to-peer application with the CD. Cui teaches IP connection is used by the apparatus to execute

a peer-to-peer application with the CD (Paragraph 29). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Cui's teaching in Phillip, Karino teaching to come up with having IP connection using peer-to-peer application. The motivation for doing so would be one could share data with the mobile device and the computing device using the same peer-to-peer application which allows a user to share or distribute data.

As per claim 33, Phillip, Karino and Cui teaches an apparatus as in claim 32, but Cui further teaches where the peer-to-peer application comprises a Personal Information Management (PIM) application (Paragraph 37)(Paragraph 38)

As per claim 34, Phillip, Karino and Cui teaches an apparatus as in claim 32, but Cui further teaches where the peer-to-peer application comprises one that enables data to be transferred from the apparatus to the CD for storage (Paragraph 27)

As per claim 35, Phillip, Karino and Cui teaches an apparatus as in claim 34, but Cui further teaches where the data comprises data generated by a camera of the apparatus (Paragraph 27).

As per claim 36, Phillip, Karino and Cui teaches an apparatus as in claim 32, but Cui further teaches where the peer-to-peer application comprises one that enables data to be transferred from the CD to the apparatus for storage (Paragraph 27)

As per claim 37, Phillip, Karino and Cui teaches an apparatus as in claim 36, but Cui further teaches where the data comprises music data (Paragraph 27).

As per claim 38, Phillip, Karino and Cui teaches an apparatus as in claim 32, but Cui further teaches where the peer-to-peer application comprises a synchronization

application (Paragraph 37)(Paragraph 38).

As per claim 39, Phillip, Karino and Cui teaches an apparatus as in claim 32, but Cui further teaches where the peer-to-peer application comprises a parameter provisioning application (Paragraph 37)(Paragraph 40).

As per claim 40, Phillip, Karino and Cui teaches an apparatus as in claim 32, but Cui further teaches where the peer-to-peer application comprises a debugging application (Paragraph 37)(Paragraph 51).

Response to Arguments

Applicant's arguments with respect to claims 1-40 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A). "Cellular telephone interface system for AMPS and CDMA data services" by Willkie et al. U.S. Patent # 5,96,651.

B). "Voice to Digital Fax Transmission" by Wang et al. U.S. Patent # 6,230,024 by Wang et al. U.S. Patent # 6,230,024.

4. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the applicant (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

5.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhairya A. Patel whose telephone number is 571-272-5809. The examiner can normally be reached on Monday-Friday 7:00AM-4:30PM, first Fridays OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DAP

/Ashok B. Patel/

Primary Examiner, Art Unit 2154

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